ocket No.: 056548-0014

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

application of

fost, Dale R.

Customer Number: 41552

Confirmation Number: 2031

Application No.: 10/034,882

Tech Center Art Unit: 1634

Filed: December 27, 2001

Examiner: Carla J. Myers

For: METHODS OF IDENTIFYING OPTIMAL DRUG COMBINATIONS AND COMPOSITIONS THEREOF

CERTIFICATE OF MAIL NO. BY EXPRESS MAIL (37 CFR § 1.10)

Mailing Label Number EV643842702US

or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated

of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Jun 23, 2005.

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 23, 2005, of the Primary

Examiner finally rejecting claims 1-27.

Appeal Fee: \$ \$500.00 Not required (fee paid in prior appeal in this application). 冈 Charge to Deposit Account No. 502624. Check Enclosed.

06/28/2005 WASFAW1 00000008 502624 10034882 Respectfully submitted,

01 FC:1401

500.00 DA

McDERMOTT WILL & EMERY LLP

Registration No. 47,956

Please recognize our Customer No. 41552 as our correspondence address.

Phone: 858.535.9001 ARS:MLS Facsimile: 858.597.1585

4370 La Jolla Village Drive, Suite 700

Date: June 23, 2005

San Diego, CA 92122